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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Alireza Abaye et al.	§	Art Unit:	2153
		§		
Serial No.:	09/557,451	§		
		§	Examiner:	K.S. Parton
Filed:	April 24, 2000	§		
		§		
Title:	PERFORMANCE MODELING OF A COMMUNICATIONS SYSTEM	§	Docket No.	NRT.0049US (11711BAUS01U)
		§		
		§		
		§		

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF NOTICE OF APPEAL

Dear Sir:


Enclosed herewith is a Notice of Appeal.

Because a Reply After Final was submitted before the two-month deadline of May 29, 2004, the period for reply to the final Office Action dated March 29, 2004 does not expire until the mailing of the advisory action, which has not yet occurred. *See* M.P.E.P. § 714.13. Therefore, no extension of time fees are believed to be necessary.

The Commissioner is authorized to charge any additional fees, including extension of time fees, or credit any overpayment to Deposit Account No. 20-1504 (NRT.0049US).

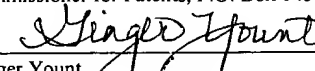
Respectfully submitted,

Date: 9-27-04

  
\_\_\_\_\_  
Dan C. Hu  
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8554 Katy Freeway, Suite 100  
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Date of Deposit: September 27, 2004

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

  
\_\_\_\_\_  
Ginger Yount

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.  
**NRT.0049US**

In Re Application Of: **Alireza Abaye et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/557,451	04-24-2000	K. S. Parton	21906	2749	

Invention: **PERFORMANCE MODELING OF A COMMUNICATIONS SYSTEM**

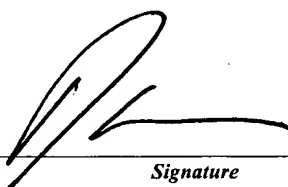


COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **March 29, 2004** finally rejecting Claim(s) **1-9, 11-13, 16-21, 23, 24, 26-28 and 31-37.**

The fee for this Notice of Appeal is: **\$330.00**

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **20-1504 NRT049**

  
Signature

Dated:

**9-27-04**

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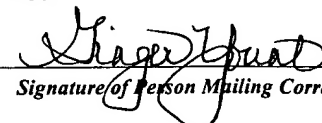
09/29/2004 CCHAU1 00000090 09557451

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330.00 DP

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I certify that this document and fee is being deposited on **September 27, 2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Signature of Person Mailing Correspondence

**Ginger Yount**

Typed or Printed Name of Person Mailing Correspondence